

REMARKS

In response to the non-final Office Action dated October 27, 2009, Applicant submits the above-specified amendments and the remarks that follow. Claims 1-32 are pending in this application. Claims 1-3, 8-9, and 32 stand rejected. Claims 4-7 are objected to as being dependent on a rejected base claim. Claims 10-31 have been withdrawn based on Applicant's previous election filed on July 27, 2009, in response to a restriction requirement. By this paper, Applicant cancels withdrawn Claims 10-31 without prejudice. Claim 4 has also been canceled. This paper also amends Claims 1 and 6, and adds new Claims 33-41. Upon entry of the amendments, Claims 1-3, 5-9, and 32-41 are pending in this application. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the remarks set forth below.

Discussion of Claim Amendments

Claim 4, which was indicated by the Examiner to be allowable, has been canceled and its features incorporated into independent Claim 1. New Claims 33-41 have been added and incorporate the features of dependent Claim 5, which also was indicated as being allowable.

Discussion of Claim Rejections under 35 U.S.C. § 102

Claims 1-3, 8-9 and 32 were rejected under 35 U.S.C. § 102(a) as being unpatentable over Spartiotis (U.S. 6,188,089). Claims 4-7, however, were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base and any intervening claims. As noted above, Claim 1 has been amended to incorporate the features of Claim 4. Accordingly, Applicant respectfully submits Claim 1 is allowable.

New independent Claim 33 is drawn from Claim 1, but also incorporates the features of allowable Claim 5. As a result, Applicant respectfully submits that this Claim is also allowable over the cited references.

Discussion of Dependent Claims

Claims 2-3, 8-9 and 32 variously depend from allowable Claim 1. Claims 34-41 variously depend from allowable Claim 33. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶ 4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. Applicant has endeavored to address all of the Examiner's concerns as expressed in the Office Action. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned representative.

Application No.: 10/532,118
Filing Date: November 15, 2006

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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AMEND

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